

A L E T T E R concerning the T R Y A L at Oxford of
STEPHEN COLLEGE, August 17. 1681.

S I R,

THis is to Answer your Command in the best account I can gain of the Proceedings here against Mr. College. He was brought this Morning to his Tryal upon a Special Commission, and upon his Arraignment, he did at first Refuse to Plead; but upon Second Thoughts, and better Advice, he Pleaded Not Guilty. His suggestions were, That *as a Free-man of London he ought not to be Tryed any where else for Treason*: And he insisted further upon the Restoring some Writings to him that had been taken from him, without which he would not Plead.

Now for your better understanding of this Passage, some of his Friends obtained leave from the Judges (as I am informed) to go to Visit him, where it is said that one *Aaron Smith* was observed to put some Papers into his hand, which were presently seized and carried to the Attorney-General; and these were the Papers that he demanded back again. The Court told him, that what was fit for him to have should be delivered him, and so they gave him back one of them, which was a Note of his *Witnesses Names*. There was a Second, which they say was a Speech intended for him to make use of at his Tryal, and that was denied him as a *Libellous Paper*. There was a Third also, which was matter of Direction what to Plead, and how to manage his Defence: and this they told him was Equivalent to Counsel, which was not to be allowed in case of Treason, unless matter of Law appeared upon Pleading. but all this notwithstanding, the Court did so far Indulge the Prisoner in all warrantable Favours, that his Paper of Instructions was delivered him also, and only the Libellous Paper detained: And thereupon his two Friends, Mr. *Starkey*, and Mr. *Aaron Smith* being with him at the Delivery of these Papers, were both of them called upon and obliged to enter into Recognizance to appear when the Court should require it: they denying to answer the Court, being Interrogated about the Delivery of those Papers, insisting upon it, That no man was obliged to Confess any thing to his own Prejudice. Mr. College would needs persuade the Court that all the Protestants of *England* were concerned in the Consequence of his Case, and Mr. *Smith* they say spake some words reflecting upon the Dignity of the Court, which some would have had to be Recorded; but I do not hear that any further notice was taken thereof.

It was a long Tryal, and could not be otherwise, Mr. College having between Forty and Fifty Evidences there, which were heard at large, with all the Fairness and Patience imaginable. Two of the Witnesses were a *Divine* (as I take it) and a *Drawer*. About Three of the Clock in the Morning, August 18. after half an hours Consideration, the Jury brought him in Guilty, with a great Shout upon the Verdict: The Sentence being deferred till Seven the next Morning. The High Sheriff was so Candid and Generous, as upon hearing that one of the Jury had declared himself disaffected to the Prisoner, he caused him to be struck out. There were but Six Witnesses for the King, One Irish-man, and the other Five English.

This is all the Trouble you shall receive upon this Occasion from

S I R,

Tour most Humble Servant, &c,

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